

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X
BARAKA SMITH,

Plaintiffs,

-against-

THE CITY OF NEW YORK,

Defendants.
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**DECLARATION OF SENIOR
COUNSEL WILLIAM A. GREY
IN SUPPORT OF
DEFENDANT’S MOTION FOR
SUMMARY JUDGMENT**

14 Civ. 4982 (JBW) (RLM)

WILLIAM A. GREY, declares that the following is true and correct under penalty of perjury pursuant to 28 U.S.C. § 1746:

1. I am a Senior Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, attorney for defendant City of New York in the above-referenced action.

2. I submit this declaration in support of the Defendant’s Motion for Summary Judgment dismissing all remaining claims against the Defendant and for such other and further relief as the Court may deem just and proper pursuant to Rule 56 of the Federal Rules of Civil Procedure.

3. Annexed hereto as Exhibits “A” through “D” are excerpts of transcripts of depositions taken in this action and copies of documents that are maintained in the ordinary course of the Fire Department of the City of New York’s (“FDNY”) business which are relied upon and cited in the Defendant’s Local Civil Rule 56.1 Statement of Undisputed Material Facts submitted herewith in support of the Defendant’s Motion for Summary Judgment. Copies of these documents are annexed as follows:

4. Annexed hereto as Exhibit “A” is a copy of the relevant excerpts of Plaintiff’s Deposition Transcript, taken on October 22, 2015.

5. Annexed hereto as Exhibit “B” is a copy of the relevant excerpts of Salvatore Corallo’s Deposition Transcript, taken on October 30, 2015.

6. Annexed hereto as Exhibit “C” is a copy of a letter from the FDNY EEO office dated June 5, 2015.

7. Annexed hereto as Exhibit “D” is a copy of the FDNY Hazing Policy, dated August 13, 2013.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
December 4, 2015

/s/ William A. Grey

William A. Grey
Senior Counsel